

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 ARAE-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 /057 W

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P R 251750Z NOV 75

FM AMEMBWSY SAN JOSE

TO SECSTATE WASHDC PRIORITY 2115

INFO AMEMBASSY GUATEMALA

AMEMBASSY MANAGUA

AMEMBASSY PANAMA

AMEMBASSY SAN SALVADOR

AMEMBASSY TEGUCIGALPA

C O N F I D E N T I A L SECTION 1 OF 2 SAN JOSE 4977

E.O. 11652: GDS

TAGS: PINT, CS

SUBJECT: FIGUERES: CONSTITUTIONAL CHANGE AND OTHER OPTIONS

REF: SAN JOSE A-111, A-113, AND A-117

1. BEGIN SUMMARY: JOSE FIGUERES IS ATTEMPTING TO GET ASSEMBLY TO MOVE BEFORE END OF NOVEMBER ON A CONSTITUTIONAL AMENDMENT TO PERMIT THE RE-ELECTION OF EX-PRESIDENTS, BUT PROSPECTS FOR SUCCESS GROW DIM. TWENTY OF TWENTY SEVEN PLN DEPUTIES (FIGUERES' PARTY) HAVE PUBLICLY OPPOSED THE MOVE; SIGNIFICANT SECTIONS OF THE OPPOSITION ARE AGAINST IT AS WELL. THERE ARE REPORTS--AND FIGUERES DENIES THEM--THAT IF THE PLN DOES NOT SUPPORT HIM, FIGUERES WILL LEAVE IT AND PERHAPS FORM HIS OWN PARTY. TALK OF EXTRA-CONSTITUTIONAL ACTION BY FIGUERES IS ALSO HEARD. END SUMMARY.

2. IN LAST FEW DAYS THERE HAS BEEN A FLURRY OF BEHIND-THE-SCENES POLITICAL ACTIVITY IN COSTA RICA IN WHICH JOSE FIGUERES SEEMS TO BE THE KEY CHARACTER.

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BASED ON A VARIETY OF EMBASSY CONTACTS, ESPECIALLY

TWO VERY CLOSE TO FIGUERES, FIGUERES HIMSELF, AND BITS AND PIECES THAT HAVE BECOME PUBLIC, THE SITUATION SEEMS TO BE AS FOLLOWS:

(A) AS THE MONTH OF NOVEMBER AND THE DAYS OF THE ORDINARY SESSION OF THE ASSEMBLY DRAW TO A CLOSE, AND WITH NO MOVEMENT ON CONSTITUTIONAL REFORM TO PERMIT RE-ELECTION OF EX-PRESIDENTS AS CALLED FOR BY FIGUERES NOVEMBER 2, DON PEPE IS GETTING WORRIED.

(B) HE HAS INFORMED HIS SUPPORTERS--THOSE WHO TOLD HIM THAT THE VOTES IN THE ASSEMBLY TO CHANGE THE CONSTITUTION WERE GUARANTEED--OF THIS PREOCCUPATION. DON PEPE HAS REPORTEDLY WARNED THAT IF THE CONSTITUTIONAL CHANGE IS NOT INITIATED, AND THE CALL OF THE PRESIDENT OF THE PLN (I.E. FIGUERES) IS NOT THUS CARRIED OUT, HE WILL LEAVE THE PARTY.

(C) THE SAME MESSAGE HAS REPORTEDLY ALSO BEEN CONVEYED PERSONALLY BY FIGUERES TO FOREIGN MINISTER FACIO (WHO, ACCORDING TO ONE RELIABLE REPORT, WOULD BE FIGUERES' FIRST VICE PRESIDENTIAL CANDIDATE IF DON PEPE RAN IN 1978), TO PLN SECRETARY-GENERAL LUIS ALBERTO MONGE, AND TO PRESIDENT ODUBER. FACIO REPORTEDLY RESPONDED THAT MONGE CONTROLS PLN ASSEMBLY VOTES. HOWEVER, FACIO HAS PROVIDED EMBASSY COPY OF A PROPOSED AMENDMENT HE HAS PREPARED FOR GOCR PRESENTATION TO ASSEMBLY TO PERMIT THE SUCCESSIVE RE-ELECTION OF PRESIDENTS FOR ONE PERIOD ONLY (U.S. SYSTEM). MONGE REPORTEDLY REJECTED DON PEPE'S POSITION, TELLING HIM THAT HE IS AGAINST RE-ELECTION AND THAT HE WANTS TO BE THE PLN CANDIDATE AT ANY RATE. ACCORDING TO ONE RELIABLE SOURCE, PRESIDENT ODUBER, IN RESPONSE TO FIGUERES, EARLIER IN WEEK OF NOVEMBER 17 WAS WORKING WITH PLN ASSEMBLY LEADERS TO OBTAIN THE SUPPORT NECESSARY TO INTRODUCE A CONSTITUTIONAL AMENDMENT IN THE ASSEMBLY BEFORE THE END OF NOVEMBER. HOWEVER, BY END OF WEEK, EMBASSY LEARNED FROM ANOTHER RELIABLE SOURCE THAT PRESIDENT ODUBER WAS IN FACT BLOCKING SUCH AN ASSEMBLY MOVE.

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(D) NOVEMBER 21 LA NACION REPORTED THAT 20 OF 27 LIBERACION DEPUTIES HAVE SIGNED STATEMENT EXPRESSING THEIR DISACCORD WITH PROJECT TO CHANGE CONSTITUTION TO PERMIT RE-ELECTION OF EX-PRESIDENTS AND ON NOVEMBER 23 THE NEWSPAPER PUBLISHED COPY OF STATEMENT. MOST OF THE 16-MEMBER NATIONAL OPPOSITION COALITION IN ASSEMBLY IS ALSO REPORTED TO OPPOSE AMENDMENT. ELEVEN PUN/CALDERONISTAS ARE ON

RECORD IN THEIR OPPOSITION.

(E) FIGUERES' CONFIDANT AND EX-MINISTER OF PRESIDENCY GONZALO SOLORZANO SENT LETTER TO SUPREME ELECTORAL TRIBUNAL (TSE) DENYING NOVEMBER 18 RADIO REPORT THAT FIGUERES IS FORMING A NEW POLITICAL PARTY. THIS SAME RADIO STATION DISPLAYED LAST WEEK, IN THE MARQUEE OF ITS OFFICES IN DOWNTOWN SAN JOSE, A TIMES SQUARE TYPE NEWS SIGN SAYING: "VESCO WILL HELP FIGUERES IN HIS NEW PARTY." THE SAME STATION ALSO BLASTED FIGUERES NOVEMBER 20 FOR MEETING AT THE OFFICES OF EXCELSIOR WITH VESCO; THE TONE AND SUBSTANCE OF THIS REPORTING INDICATE THAT THE STATION HAS EVIDENCE AND THEREFORE DOES NOT FEAR POSSIBLE LIBEL ACTION--WHICH FIGUERES HAS BROUGHT IN THE PAST AGAINST MEDIA PEOPLE WHO HAVE MADE SUCH ALLEGATIONS. PREDICTABLY, ON NOVEMBER 24, EXCELSIOR PUBLISHED A LETTER FROM VESCO DENYING POLITICAL TIES WITH FIGUERES OR WITH ANY POLITICAL PARTY.

(F) FINALLY, RUMORS ARE BEGINNING TO BE HEARD AGAIN THAT FIGUERES IS SO DESPERATE ECONOMICALLY AND SO FRUSTRATED POLITICALLY (DUE TO THE INACTION IN REFORMING THE CONSTITUTION TO PERMIT HIS RE-ELECTION) THAT HE IS ONCE AGAIN THINKING ABOUT SOME FORM OF GOLPE.

3. FIGUERES, IN NOVEMBER 21 LUNCHEON WITH EMBOFF, STRONGLY DENIED THAT HE WAS THINKING OF FORMING A NEW PARTY. HE ALLEGED THAT HE HAD ALWAYS BEEN DRAFTED TO SERVE IN COSTA RICAN POLITICAL LIFE--WITH THE EXCEPTION OF LEADING THE ARMED CONFLICT OF 48--AND

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INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

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FM AMEMBASSY SAN JOSE
TO SECSTATE WASHDC PRIORITY 2116
INFO AMEMBASSY GUATEMALA
AMEMBASSY MANAGUA
AMEMBASSY PANAMA
AMEMBASSY SAN SALVADOR
AMEMBASSY TEGUCIGALPA

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THAT IF THERE WERE NO MOVE NOW TO CHANGE THE CONSTITUTION, HIS OPPORTUNITY TO SERVE AGAIN SIMPLY WOULD NOT EXIST, AND SO BE IT. FIGUERES ECHOED PREVIOUS REPORTS THAT HE HAD SIMPLY BEEN SOUGHT OUT TO URGE A CONSTITUTIONAL CHANGE TO GIVE THE COUNTRY THE OPTION OF CHOOSING FROM AMONG THE EX-PRESIDENTS IN 1978. FIGUERES ALSO NOTED THAT IF HE WERE TO BE A CANDIDATE IN 1978, FOREIGN MINISTER GONZALO FACIO WOULD BE AT HIS "RIGHT HAND."

4. IN REPEATING HIS BLEAK ANALYSIS OF ILLS OF COSTA RICAN GOVERNMENT AND SOCIETY, FIGUERES REITERATED THE THEME THAT HE EXPRESSES OFTEN IN PRIVATE ABOUT THE INABILITY OF MANY DEMOCRATIC GOVERNMENTS TO RESOLVE THE PROBLEMS OF MODERN SOCIETIES. HE NOTED THAT HE HAS DISCUSSED BASIC STRUCTURAL CHANGES WITH PRESIDENT ODUBER, AND THAT THE ODUBER GOVERNMENT IS STUDYING SOME MEASURES. HE EMPHASIZED THAT THERE IS GREAT URGENCY TO GET SOMETHING STARTED. FIGUERES' PREOCCUPATION THAT THE PRESENT SITUATION, I.E. THE INABILITY OF GOVERNMENT BUREAUCRACY, INCLUDING THE CONFIDENTIAL

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ASSEMBLY, TO CUT THROUGH PROCEDURE AND DEAL DECISIVELY WITH BASIC PROBLEMS, IF IT CONTINUES, WILL ALLOW THE COUNTRY TO DRIFT INTO CHAOS. SPECIFICALLY MENTIONED WERE THE BANKING SYSTEM, THE LEFTIST THREAT IN THE UNIVERSITIES AND THE LABOR UNIONS, A POSSIBLE TERRORIST THREAT, CORRUPTION, AND BLOATED PUBLIC PAYROLLS--ALL IN ALL, A LATTER-DAY URUGUAY.

5. COMMENT: DON PEPE'S DECLARATIONS TO THE EMBASSY ASIDE, IF WHAT FIGUERES IS REPORTED TO BE DOING AND SAYING IS TRUE, HE COULD BE PREPARING THE WAY FOR THE FOUNDING OF A NEW PARTY--AS DON PEPE HAS THREATENED TO DO IN THE PAST WHEN HE HAS NOT GOTTEN HIS WAY.

6. ONE OF THE ALTERNATIVES (IF THE CONSTITUTION IS NOT CHANGED TO PERMIT THE RE-ELECTION OF EX-PRESIDENTS) IS THE CANDIDACY IN 1978 OF SOMEONE VERY CLOSE TO

DON PEPE--IN FACT A SURROGATE. INCLUDED IS THE POSSIBILITY THAT THIS PERSON WOULD TURN THE GOVERNMENT OVER TO FIGUERES SOMETIME AFTER HE IS ELECTED. THIS POSSIBILITY HAS BEEN DESCRIBED (BY SOMEONE CLOSE TO FIGUERES) IN TERMS OF THE WAY THAT CAMPORA PAVED THE WAY FOR PERON'S RETURN IN ARGENTINA. WHILE CERTAINLY NOT A CONSTITUTIONAL ROAD TO POWER FOR FIGUERES, IT MIGHT APPEAR MORE DECOROUS TO SOME THAN AN OUTRIGHT COUP.

7. ANOTHER POSSIBILITY WHICH EMBASSY THINKS MOST LIKELY IS THAT WHAT FIGUERES IS REPORTEDLY DOING AND SAYING IS AN INTERNAL PLN TRIAL BALLOON--ANOTHER REMINDER TO THE PARTY AND ITS LEADERS OF WHAT DON PEPE COULD AND MIGHT DO IF THE PARTY DOES NOT BACK HIM ON HIS DESIRE TO CHANGE THE CONSTITUTION AND TO BE ITS CANDIDATE IN 1978. THERE IS STILL TIME PRIOR TO THE 1978 ELECTION FOR CONSTITUTIONAL AMENDMENT TO PERMIT RE-ELECTION OF EX-PRESIDENTS; DURING THE DECEMBER 1975-APRIL 1976 EXTRAORDINARY SESSION OF THE ASSEMBLY, PRESIDENT ODUBER COULD SEND THE PROPOSAL TO THE ASSEMBLY. AN UNANSWERED QUESTION IN SUCH AN EVENT WOULD BE THE STRATEGY OF THE OPPOSITION, WHICH AT ONE TIME TOYED WITH THE IDEA OF SUPPORT FOR RE-ELECTION OF EX-PRESIDENTS (TO PERMIT THEM TO RUN

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EX-PRESIDENT TREJOS), BUT FOR NOW HAS BACKED OFF TO LET FIGUERES TILL THAT FIELD BY HIMSELF.

8. PRESIDENT DANIEL ODUBER'S POSITION IN RESPONSE TO FIGUERES' MOVES IS A DELICATE ONE. HE STANDS TO GAIN NOTHING WITH A CONSTITUTIONAL CHANGE TO PERMIT FIGUERES TO RUN AGAIN; ODUBER'S FUTURE INFLUENCE IN A PLN GOVERNMENT WOULD BE IMPAIRED IF FIGUERES WERE PRESIDENT, AND HIS POSITION IN THE PARTY WOULD BE UNDERCUT AS WELL. AT THE SAME TIME, ODUBER DOES NOT WANT TO SEE FIGUERES PULL OUT OF THE PARTY OR PUBLICLY OPPOSE IT; SUCH A MOVE WOULD GUARANTEE A SPLIT PLN AND PROBABLY DEFEAT FOR THE PARTY'S CANDIDATE (WHO COULD BE ODUBER IF THE CONSTITUTION IS CHANGED LATER TO PERMIT PRESIDENTIAL RE-ELECTION INITIATIVE) IN 1978. UNDERSTANDABLY THEN, AND TRUE TO HIS PAST POLITICAL FORM, ODUBER IS ATTEMPTING TO PLACATE FIGUERES, AND THE PARTY--AT THE SAME TIME THAT HE KEEPS HIS OWN POLITICAL FUTURE IN PERSPECTIVE. IN THAT SENSE, TURNING THE CONSTITUTIONAL CHANGE QUESTION OVER TO THE ASSEMBLY AND ALLOWING THE OPPOSITION AND "UNCONTROL-ABLE" PLN DEPUTIES TO THWART IT MIGHT BE A POLITICAL SOLUTION FOR ODUBER. THE QUESTION IS WHETHER DON PEPE WILL STAND FOR IT.

9. THERE IS ONLY ONE ELEMENT THAT SEEMS TO BE
CLEAR IN ANY ANALYSIS OF THIS LATEST SERIES OF
CURIOUS POLITICAL GOINGS-ON IN COSTA RICA:
JOSE FIGUERES IS THRASHING ABOUT ONCE AGAIN, IN
HOPES OF GETTING BACK INTO POWER. IF HE DECIDES TO
MAKE A MOVE, WHAT IT WILL BE AND WHEN ARE QUESTIONS
THAT ONLY FUTURE DEVELOPMENTS--WHICH DEPEND AS MUCH
ON DON PEPE'S WHIMS AS WELL AS HIS POLITICAL
PERCEPTIONS--WILL REVEAL.
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